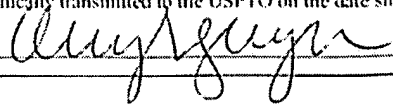


I hereby certify that this correspondence is being electronically transmitted to the USPTO on the date shown below.

Date: November 21, 2008

Signature: _____



(Quyen B. Nguyen)

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Application No.: 10/681,625
Confirmation No.: 7399
Filing Date: October 7, 2003
Inventor(s): John H. SHADDUCK
Title: MEDICAL INSTRUMENTS AND TECHNIQUES FOR
THERMALLY-MEDIATED THERAPIES
Examiner: Michael F. Peffley
Group Art Unit: 3739

RESPONSE TO NON-COMPLIANT AMENDMENT

Mail Stop AMENDMENT
Commissioner for Patent
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

This is in response to the NOTICE OF NON-COMPLIANT AMENDMENT where the non-compliant amendment was in response to a final Office Action dated June 3, 2008 for which a response was due on September 3, 2008.

Applicant previously filed a Request for Continued Examination with a Petition and fee for a 3-month extension of time, thereby extending the deadline for response to December 3, 2008. Accordingly, this response is timely filed. Reconsideration and allowance of the pending claims, as amended, in light of the Remarks presented herein are respectfully requested. Per the NOTICE, this Response provides only the corrected section of the non-compliant amendment, namely a replaced section containing amendments to the claims.

Amendments to the Claims are reflected in the listing of claims which begins on page 2 of this paper.

Remarks begin on page 5 of this paper.